

BRIAN C. ANDERSON (State Bar No. 126539)
O'MELVENY & MYERS LLP
555 13th Street, N.W.
Washington, DC 20004
Telephone: (202) 383-5300
Facsimile: (202) 383-5414

TROY M. YOSHINO (State Bar No. 197850)
O'MELVENY & MYERS LLP
Embarcadero Center West
275 Battery Street, 26th Floor
San Francisco, CA 94111-3344
Telephone: (415) 984-8700
Facsimile: (415) 984-8701

Attorneys for Defendant
FORD MOTOR COMPANY

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

San Francisco Division

SUSAN CHAMBERLAN, BRIAN CHAMPINE, and HENRY FOK, on behalf of themselves and all others similarly situated, and on behalf of the general public,

Case No. C 03-02628 MEJ

FORD MOTOR COMPANY'S NOTICE OF MOTION AND MOTION TO DISMISS

Date: July 17, 2003
Time: 10:00 a.m.
Courtroom: B

Hon. Maria-Elena James

FORD MOTOR COMPANY, and DOES 1 through 100, inclusive,

Defendants.

NOTICE OF MOTION AND MOTION TO DISMISS

TO PLAINTIFFS AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT ON July 17, 2003, or as soon thereafter as the matter may be heard in the above -entitled Court located at Courtroom B, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California 94102, defendant Ford Motor Company (“Ford”) will and hereby does move this Court for an order dismissing all counts of plaintiffs’ Complaint for failure to state a claim, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. This motion is based on this Notice of Motion and Motion, the pleadings on file in this matter, the following Memorandum of Points and Authorities, and other relevant materials and evidence as may be presented to the Court.

By this motion, Ford seeks an order dismissing with prejudice all counts of plaintiffs' Complaint.

Dated: June 12, 2003

O'MELVENY & MYERS LLP

By: /s/ Troy M. Yoshino
Troy M. Yoshino
Attorneys for Defendant
FORD MOTOR COMPANY

SF1:511911.2